



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
ECOSYSTEMS,
TRIBAL AND PUBLIC
AFFAIRS

December 27, 2013

Captain M. K. Nortier, Commanding Officer
U.S. Naval Facilities Engineering Command Atlantic
Attn: Code EV21/SS
6506 Hampton Boulevard
Norfolk, Virginia 23508

Re: Notice of Intent to prepare an Environmental Impact Statement for EA-18G Growler airfield operations at Naval Air Station Whidbey Island, Washington.
EPA Region 10 Project Number 13-0030-DOD.

Dear Captain Nortier:

The U.S. Environmental Protection Agency has reviewed the Notice of Intent to prepare an Environmental Impact Statement for the EA-18G Growler airfield operations at Naval Air Station Whidbey Island, Washington. We are submitting comments in accordance with our responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act. We appreciate your contacting us regarding the proposed action.

To sustain the Navy's electronic attack aircraft capabilities at NAS Whidbey Island, the Navy proposes to introduce two additional EA-18G Growler expeditionary squadrons (10 aircraft) and add three EA-18G Growler aircraft to the Fleet Replacement Squadron at Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville, for a total increase of 13 aircraft. In addition, the Navy would construct and renovate facilities at Ault Field to accommodate additional aircraft and would station up to 860 additional personnel at and relocate approximately 2,150 family members to NAS Whidbey Island and surrounding community.

The NOI indicates that the EIS will include, but not be limited to, analysis of the direct and indirect effects of the proposed action with respect to the following:

- Air quality
- Noise
- Land use
- Socioeconomics
- Natural resources
- Biological resources
- Cultural resources
- Safety and environmental hazards.

The EIS will also account for cumulative impacts from other relevant activities near the installation. We agree with the need to address the identified issues. Based on the information provided in the NOI, we offer the following additional comments to assist in identifying the scope of the NEPA analysis:

Noise and Disturbance Effects

The Military Operations Area affected by NAS Whidbey Island currently experiences noise and other flight-related disturbance to communities, which variously affects residents, visitors, schools, businesses, recreation areas and activities, natural areas and wildlife. The EIS should address the direct, indirect, and cumulative effects from additional noise and disturbance that would potentially result for both human and wildlife communities. The analysis should include but not necessarily be limited to the following:

- Identification of the geographic location and area affected by NAS Whidbey Island Military Operations.
- Any differences in intensity/severity of effects with respect to the updated and additional aircraft, including height above ground and height above sea level for all effects.
- Any new effects of military operations on previously undisturbed areas, and cumulative/increased effects (increased frequency, severity) on areas currently within Military Operations Areas.
- Effects on birds¹, including migratory birds, raptors, shorebirds, waterfowl, marine birds, ground dwelling birds, passerines, and overall effects on habitat quality/suitability for nesting, rearing, foraging, roosting, particularly within important habitat/concentration areas, such as, Wildlife Refuges, Natural Areas/Key Conservation Sites, and other important habitat, and on threatened, endangered, candidate, sensitive, and other species of concern listed by Federal or State fish and wildlife agencies.
- Effects on other terrestrial or aquatic wildlife species, including marine mammals². For affected species and habitats, disclose the area, location, and accessibility of any remaining intact habitats and refugia currently unaffected by military operations.
- Effects on children's health and safety, including effects of noise/disturbance on school and other learning environments, outdoor recreation areas, and other sensitive locales³.
- Effects on other vulnerable/disadvantaged populations, including minorities, low income, elderly, disabled, and Native American tribes.
- Effects on quality of life, recreation activities, and quietude. Churches and other community gathering environments may be affected by new or increased noise and frequency of military flights.
- Indirect and cumulative effects on sensitive human and non-human animal receptors.

Aquatic Resources and Sensitive Terrestrial Habitats

Construction of new buildings, roads, and related facilities to support the additional aircraft could potentially affect aquatic resources and sensitive terrestrial habitats. We recommend that any new facilities be located in areas that would avoid and minimize impacts to sensitive areas, such as, wetlands, streams, riparian areas, floodplains, shorelines, source water protection areas, prairies, and other high value habitats, and that disturbance and clearing of native vegetation be minimized.

¹ See additional comments below regarding birds, marine mammals, other wildlife and habitat.

² See additional comments below regarding birds, marine mammals, other wildlife and habitat.

³ E.O. 13045 on Children's Health and Safety directs that each Federal agency shall make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children, and shall ensure that its policies, programs, activities, and standards address these risks.

Project area aquatic resources would potentially experience varying degrees of encroachment and alteration of their hydrologic functions, and project encroachment may degrade aquatic habitat and impact species. For any impacts that cannot be avoided through siting and design, the NEPA document should describe the types, location, and estimated effectiveness of best management practices applied to minimize and mitigate impacts to aquatic resources.

The NEPA document should describe aquatic habitats in the affected environment and the environmental consequences of the proposed alternatives on these resources. Impacts to aquatic resources should be evaluated in terms of the aerial (acreage) or linear extent to be impacted and by the functions they perform.

The proposed activities may require a Clean Water Act Section 404 permit from the Army Corps of Engineers. For wetlands and other special aquatic sites, the Section 404(b)(1) guidelines establish a presumption that upland alternatives are available for non-water dependent activities. The 404(b)(1) guidelines require that impacts to aquatic resources be (1) avoided, (2) minimized, and (3) mitigated, in that sequence. The NEPA document should discuss in detail how planning efforts and alternative selection conform with Section 404(b)(1) guidelines sequencing and criteria. In other words, the Navy must show that they have avoided impacts to wetlands and other special aquatic sites to the maximum extent practicable. The NEPA document should discuss alternatives that would avoid wetlands and aquatic resource impacts from fill placement, water impoundment, construction, and other activities before proceeding to minimization/mitigation measures.

The NEPA document should identify all water bodies likely to be impacted by the project, describe the nature of the potential impacts, and identify the specific pollutants likely to impact those waters. If there are 303(d) listed water bodies in the project area, the NEPA document should also disclose information regarding the TMDLs, the water bodies to which they apply, and pollutants of concern. Provisions for antidegradation of water quality apply to water bodies where water quality standards are presently being met.

Land Use, Community, and Socioeconomic Impacts

The EIS should identify plans to accommodate the relocation of up to 860 additional personnel and approximately 2,150 family members to NAS Whidbey Island and surrounding community. The EIS should include analysis of direct, indirect, and cumulative effects of this population growth on the environmental, social, and economic condition of Whidbey Island communities and natural environment. Issues to address include, but are not limited to, effects on land use/conversions, habitats and species, water quality, drinking water supplies, air quality, travel demand, traffic, housing affordability, infrastructure and law enforcement, fire, emergency and medical needs, schools, public health and quality of life.

We recommend that the Navy consider engaging with local governments, planners, community organizations, and citizens to collaboratively plan for and facilitate compact, livable, walkable communities, low impact development and "green" construction, redevelopment/revitalization, provision of parks, non-motorized and public transportation, and maintenance of open space, rural lands and character⁴.

⁴ See EPA's Smart Growth website at <http://www.epa.gov/dced/>

Birds, Marine Mammals, other Wildlife and Habitat

All potential military activities and associated impacts should be described with respect to their potential effects on wildlife and habitat areas. The EIS should describe the current location, quality and capacity of habitat, its use by wildlife in the project area, and the potential to affect resident and migratory species. Impacts to consider include disturbance, disruption of normal and necessary behaviors, such as, nesting, foraging/feeding, resting/roosting, rearing young, social interactions, dispersal, daily and seasonal movement/migration patterns, use of available habitat, predator/prey interactions. Include the potential for direct mortality or injury due to aircraft or vehicular collisions with wildlife, or other mishap. The NEPA document should also identify means to avoid, minimize, and otherwise mitigate impacts to wildlife.

Endangered, Threatened, Candidate, Sensitive Species

Where proposed project activities could affect animal or plant species listed under the Endangered Species Act, the NEPA analysis should include the Biological Assessment and the associated USFWS or NOAA Fisheries Biological Opinion or formal concurrence, and discuss how the Navy would contribute to the recovery of listed species⁵. In addition to federally listed species, there may also be state listed species, candidate state or federal species, and other sensitive or declining species and their habitats in the project area. The NEPA document should disclose these sensitive species and habitats, and the analyses of the alternatives should explore all possible measures to avoid and minimize disturbance or harm to them.

The NEPA analysis should also demonstrate compliance with the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, the Marine Mammal Protection Act, and address impacts to any other species of concern identified by federal or state fish and wildlife agencies.

Invasive Species

Ground disturbing activities from project construction could cause or exacerbate the spread of noxious weeds. In compliance with NEPA and with Executive Order 13112, analysis and disclosure of these actions and their effects, as well as any mitigation to prevent or control such outbreaks, should be included in the NEPA document. We recommend that disturbed areas be revegetated using native species, and that there be ongoing maintenance to prevent establishment of invasives in areas disturbed by project activities, using nonchemical means to the greatest extent possible.

Climate Change

Changing climatic conditions should be taken into account as the NEPA document is being developed. In particular, we recommend including analyses of potential impacts of changing climate on the project, and the project's potential to contribute to or reduce climate change impacts through direct and indirect effects, adaptation, and mitigation.

Cumulative and Indirect Effects

The environmental analysis should consider the effects of the proposed action when added to other past, present and reasonably foreseeable future actions within and outside the project area. Cumulative impacts can result from individually minor, but collectively significant actions taking place over time. For example, the proposed action may have the potential to contribute to cumulative impacts to seabirds

⁵ Endangered Species Act, Sec. 2(c)(1)

that are already stressed by human disturbance, aircraft flying too low over nesting birds, predation, diminished habitat, climate change, and that are at risk from oil spills.

The EPA has issued guidance on how we are to provide comments on the assessment of cumulative impacts in *Consideration of Cumulative Impacts in EPA Review of NEPA Documents*, which can be found online at: <http://www.epa.gov/compliance/resources/policies/nepa/cumulative.pdf>. This guidance includes five key areas of focus when assessing cumulative effects:

- Identify resources, if any, that are being cumulatively affected;
- Determine the appropriate geographic (within natural ecological boundaries) area and the time period over which the effects have occurred and would occur;
- Look at all past, present, and reasonably foreseeable future actions that have affected, are affecting, or would affect resources of concern;
- Describe a benchmark or baseline;
- Include scientifically defensible threshold levels.

Indirect effects, which must also be analyzed in the NEPA document, are those that are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include additional development or other activity inducing effects and other effects related to induced changes in the pattern of land use, road systems and access, number and frequency of human visits/uses, and related effects on air and water and other natural systems, including ecosystems (40 CFR Part 1508.8).

Air Quality, Air Toxics

The NEPA analysis should quantify the direct, indirect, and cumulative increases in air pollutant emissions from the operation and maintenance of the additional aircraft and supporting equipment, vehicles, and facilities. The potential effects from air pollutants, including air toxics, to NAS personnel, ground crews, nearby residents, businesses, and any sensitive receptor locations, such as, schools, medical facilities, senior centers and residences, daycare centers, outdoor recreation areas should be identified.

Air quality effects of project construction can also be substantial. Air toxics emissions, particularly diesel exhaust, are known or suspected to cause cancer or other serious health effects. For examples of construction mitigation measures to reduce human health risks from exposure to toxic air emissions, visit the Clean Construction USA website at <http://www.epa.gov/otaq/diesel/construction>.

Public Participation and Environmental Justice

The NEPA process should effectively engage the public in dialogue about the proposed project and its potential environmental, social, historical, cultural, and economic impacts – both positive and negative. In compliance with NEPA and with the Executive Order 12898 on Environmental Justice, actions should be taken to conduct adequate public outreach and participation that ensures the public and Native American tribes truly understand the possible impacts to their communities and trust resources. Minority and/or low income communities and tribes must be effectively informed, heard, and responded to regarding the project impacts and issues affecting their communities and natural and cultural resources. The information gathered from the public participation process and how this information is factored into decision-making should be disclosed in the NEPA document.

The EPA requests the following information from lead agencies, at a minimum, when reviewing NEPA documents to determine the adequacy of analysis:

- Describe the efforts that have/will be taken to inform the communities about the impacts of the project and to ensure "meaningful public participation" by the potentially affected communities/individuals.
- Identify low income and minority communities in the impact area(s) of the project.
- Disclose in the NEPA document what was heard from the community about the project during the public participation sessions by listing the impacts identified by the project proponent and the communities (perceived and real).
- Address whether these impacts are likely to occur and to whom, and evaluate all impacts for their potential to disproportionately impact low income and/or minority communities.
- Describe how what was heard from the public was/will be incorporated into the decisions made about the project (such as, the development of alternatives or choice of alternatives).
- Propose mitigation for the impacts that will or are likely to occur.

Public health and safety impacts and other impacts of concern to the public should be analyzed and disclosed in the NEPA document. The potential for disproportionate impacts and need for special consideration should extend to any vulnerable population, including the elderly, disabled, and children, as well as low income and minorities.

Tribal Consultation

Government-to-government consultation with Indian tribal governments is required in accordance with Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, and other directives. In accord with federal tribal trust responsibilities, special attention should be paid to environmental impacts on resources held in trust or treaty resources. Among the issues that may be of concern to the Tribes include:

- Reservation lands;
- Formally identified trust and treaty resources;
- Grave and burial sites;
- Off-reservation sacred sites;
- Traditional cultural properties or landscapes;
- Hunting, fishing, and gathering areas (including impacts to ecosystems that support animals and plants that are or once were part of the Tribes' and tribal descendants' traditional resource areas);
- Access to traditional and current hunting, fishing, and gathering areas and species;
- Changes in hydrology or ecological composition of springs, seeps, wetlands and streams, that could be considered sacred or have traditional resource use associations;
- Water quality in streams, springs, wetlands and aquifers;
- Travel routes that were historically used, and travel routes that may be currently used;
- Historic properties and other cultural resources.

We appreciate the opportunity to provide comments during the scoping process. If you have questions or need more information, please contact me at (206)553-2966 or via electronic mail at somers.elaine@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Martin B. Reichert for". The signature is written in a cursive, flowing style.

Elaine L. Somers
Environmental Review and Sediment Management Unit